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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of : Ping-Tung SU  
Application No. : 10/787,090  
Group Art Unit : 3636  
Filed : February 27, 2004  
Title : Umbrella Structure  
Examiner : GRAYSAY, TAMARA L  
Docket No. : TB06P0084US

**MAIL STOP PETITION**

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL COVER SHEET**

Dear Sir:

Transmitted herewith for filing are as the follows:

1. Return Receipt Postcard ;
2. A check in the amount of US\$ 1750 to cover the Issue Fee, Publication Fee and Petition Fee;
3. Petition to revival Patent Application Under CFR.1.137(b) (2 pages);
4. Statement by local agent (2 pages) and;
5. A copy of -the transmittal of the Issue fee and Publication Fee payment  
-return receipt postcard with the USPTO date stamp  
November 24, 2006.  
-the original check and new issued check  
-the exchange memo and charge receipt

Respectfully submitted

Please address all correspondences to:

**Ping-Tung SU**

Name: Ping-Tung SU

**Address: P.O. Box 44-2049,  
Taipei 10668, Taiwan,**

**R.O.C.**

Signature: SU PING-TUNG

**Tel: (886)2-2754-6868**

Date: January 25, 2007

**Fax: (886)2-2754-0586**

**E-mail: taiwan.ipo@msa.hinet.net**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : Ping-Tung Su  
Application No. : 10/787,090  
Group Art Unit : 3636  
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**MAIL STOP PETITION**

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO REVIVE PATENT APPLICATION-**  
**UNINTENTIONAL FAILURE TO PAY ISSUE FEE (37 C.F.R. § 1.137(b))**

Dear Sir:

In a communication from the U.S. Patent Office dated December 22, 2006, it was indicated that this application was abandoned for applicant's failure to timely pay the required issue fee and publication fee within the statutory period of three months from the date of the Notice of Allowance as required by 37 C.F.R. §1.316.

Since the required fees are paid by my local agent: Marco Chen, who prepared and mailed the transmittal of issue and publication fees by check in the amount of US\$ 1000 to the U.S. Patent Office on November 23, 2006. A copy of those documents are attached to the Declaration of Marco Chen, which is attached hereto.

As noted, the Assistant Commissioner was authorized to charge the required fees by the check. Affixed to the transmittal was a certificate of mailing dated November 23, 2006 which was within the statutory period of three months from the mailing date of the September 8, 2006 Notice of Allowance. And on December 7, 2006, we have received the return receipt postcard with the USPTO November 24, 2006 date stamp. (Please refer to the attachment.) At that time, to Marco Chen's understanding was that the check was sufficient and the required fees were covered by this check.

01/29/2007 SZEWDIE2 00000001 10787090

03 FC:2453

750.00 0P

After received the Notice of Abandonment dated December 22, 2006 on January 10, 2007, my local agent Marco Chen have confirmed with our local bank: "TAIWAN BUSINESS BANK" who issued the check. According to their illustration, there are two kinds of the check, the first type is that needs the barcode attached by man-made; the second type is the check with the electronic barcode. (Please see the attached copy for the two types of the checks.) The possible reasons for the un-cashed returned check might be that the returned check belongs to the first type and the local bank operated with USPTO could not accept it now due to the policy changed. Therefore the check could not be cashed.

This petition is being filed within two months after I, the applicant was notified of abandonment. The delay in payment of the issue fee was unintentional and, the entire delay in filing the required issue fee, including receipt of the Notice of Abandonment and the investigation surrounding the circumstances thereof and until the filing of this petition, was unintentional.

Authorization is hereby made to cash the attached check covering the following fees:

|                 |          |
|-----------------|----------|
| Issue Fee       | US\$ 700 |
| Publication Fee | US\$ 300 |
| Petition Fee    | US\$ 750 |

In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn. Acknowledgment of active status of the application is respectfully requested.

SIGNED BY :

The applicant of the above referenced application:

Name: Ping-Tung SU

Signature: SU PING-TUNG

Date: January 25, 2007

Please address all correspondences to:

**Ping-Tung SU**

**Address:** P.O. Box 44-2049, Taipei 10668, Taiwan, R.O.C.

**Tel:** (886)2-2754-6868

**Fax:** (886)2-2754-0586

**E-mail:** [taiwan.ipo@msa.hinet.net](mailto:taiwan.ipo@msa.hinet.net)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of : Ping-Tung SU  
Application No. : 10/787,090  
Group Art Unit : 3636  
Filed : February 27, 2004  
Title : Umbrella Structure  
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Docket No. : TB06P0084US

**MAIL STOP PETITION**

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

**DECLARATION OF MARCO CHEN IN SUPPORT OF  
PETITION TO REVIVE PATENT APPLICATION-  
UNINTENTIONAL FAILURE TO PAY ISSUE FEE (37 C.F.R. § 1.137(b))**

Dear Sir:

Marco Chen states as follows:

1. I am the local agent of the applicant, Ping-Tung Su. I was responsible for payment of the issue fee and publication fee for this application.
2. On November 23, 2006 I have bought the check from our local bank "TAIWAN BUSINESS BANK". Please refer to the attached copy for the exchange memo and charge receipt and the check in the amount US\$ 1000 to cover the Publication fee and Issue Fee. It is believed that the check is true and sufficient. Also on the same day, I prepared and mailed the check to cover the required fees to the U.S. Patent Office. In preparing those documents, I authorized the U.S. Patent Office to cash the check in the amount of US\$ 1000 to cover the required fees. The letters in an envelope are addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. On December 7, 2006, we have received the Return Receipt Postcard (which is enclosed herewith) with the USPTO November 24, 2006 date stamp. It is convinced that the required fees are paid within the statutory period of three months from the mailing date of the September 8, 2006.
3. In the communication from the U.S. Patent Office dated December 22, 2006, it was noted that this application was abandoned for failure to timely pay the

required issue fee and publication fee within the statutory period of three months from the date of the Notice of Allowance as required by 37 C.F.R. § 1.316.

4. After receiving this communication, I have checked and confirmed with our local bank: "TAIWAN BUSINESS BANK" who issued the check. According to their illustration, there are two kinds of the check, the first type is that needs the barcode attached by man-made; the second type is the check with the electronic barcode. (Please see the attached copy for the two types of the checks.) The possible reasons for the un-cashed returned check might be that the returned check belongs to the first type and the local bank operated with USPTO could not accept it now due to the policy changed. Therefore the check could not be cashed.
5. The delay in payment of the issue fee was unintentional and, the entire delay in filing the required issue fee, including receipt of the Notice of Abandonment, and the investigation surrounding the circumstances thereof, until the filing of this petition, was unintentional.
6. I hereby declare that all statements made herein are of my own knowledge and are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNED BY :

The local agent of the applicant for the above reference application

Name: Marco Chen

Signature: Marco Chen

Date: January 25, 2007

Please address all correspondences to:

**Ping-Tung SU**

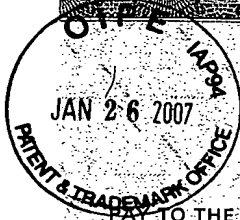
**Address:** P.O. Box 44-2049, Taipei 10668, Taiwan, R.O.C.

**Tel:** (886)2-2754-6868

**Fax:** (886)2-2754-0586

**E-mail:** [taiwan.ipo@msa.hinet.net](mailto:taiwan.ipo@msa.hinet.net)

The Original Check



884165



臺灣中小企業銀行

TAIWAN BUSINESS BANK

(FORMERLY THE MEDIUM BUSINESS BANK OF TAIWAN)

Taiwan, Republic of China

REF. NO. 6AUULR00154DA12

DATE NOV 23, 2006

USD1,000.00

PAY TO THE ORDER OF UNITED STATES DEPARTMENT OF COMMERCE (PATENT AND TRADEMARK OFFICE)  
THE SUM OF US DOLLARS ONE THOUSAND ONLY

TO

For TAIWAN BUSINESS BANK

JP MORGAN CHASE BANK, NEW YORK  
1 CHASE MANHATTAN PLAZA  
NEW YORK N.Y. 10005  
U.S.A.

*Do-hi Wei*  
AUTHORIZED SIGNATURE

*Tai Yueh Ch*  
AUTHORIZED SIGNATURE

The New Issued Check

THIS CHEQUE PAPER CONTAINS A CHAIN WATERMARK - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

213312617

10-86  
220



臺灣中小企業銀行

TAIWAN BUSINESS BANK

(FORMERLY THE MEDIUM BUSINESS BANK OF TAIWAN)

Taiwan, Republic of China

REF. NO. 7AUULR00003DC120

DATE: JAN 23, 2007

USD1,750.00

PAY TO THE ORDER OF UNITED STATES DEPARTMENT OF COMMERCE (PATENT AND TRADEMARK OFFICE)  
THE SUM OF US DOLLARS ONE THOUSAND SEVEN HUNDRED FIFTY ONLY

For TAIWAN BUSINESS BANK

TO CITIBANK (NEW YORK STATE):  
BUFFALO, NEW YORK, U.S.A.

*Do-hi Wei*  
AUTHORIZED SIGNATURE

*Tai Yueh Ch*  
AUTHORIZED SIGNATURE

⑈ 213312617 ⑈

⑆022000868⑆

99⑈85010

## The exchange memo and charge receipt



臺灣中小企業銀行

TB 06P008405

大安分行  
賣匯水單

單據編號 : UL00154DA120

ORA999

受理單位 : 120

註專

類 2

日期 : NOV 23, 2006

幣別 : USD

申

VER. NO : 0101

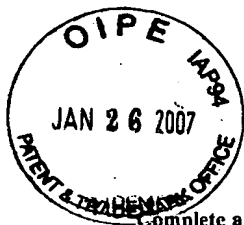
議價編號 : 120RS05072

|  |  |   |  |  |  |
|--|--|---|--|--|--|
| 匯出匯款編號 REF: 6AUULR00154DA120   |  | 受款地區國別 : USA  |  | 匯款總額 (AMT): USD1,000.00  |  |
| 匯款人名稱 : 中文 生日 : 19810314<br>陳亮行<br>英文 居 : MARCO CHEN<br>統一編號 : A124146415 護<br>外匯存款帳號 :  |  | 外匯去處及匯款方式   |  | <input checked="" type="checkbox"/> 票匯 性質別<br><input checked="" type="checkbox"/> 匯往國外 身 3<br><input type="checkbox"/> 匯往國內他行<br><input type="checkbox"/> 旅行支票 T/C<br><input type="checkbox"/> 外幣現鈔 FX NOTES<br><input type="checkbox"/> 存入外匯存款 DEPOSITS<br><input type="checkbox"/> 其他 OTHERS ( )                       |  |
| 匯款分類名稱及編號 : 192<br>貿易佣金及代理費支出  |  | 繳款方式  |  | <input checked="" type="checkbox"/> 以新臺幣結購 BY TWD<br>金額 : USD1,000.00<br><input type="checkbox"/> 由外匯存款提出 BY FX A/C<br>金額 : USD0.00<br><input type="checkbox"/> 外幣現鈔 BY FX NOTES<br>金額 : 0.00<br><input type="checkbox"/> 出口或匯入款轉匯<br>金額 : 0.00<br><input type="checkbox"/> 其他 OTHERS ( )<br>外幣費用合計 : USD0.00 @0.0000000 |  |
| 國外受款人身分別 :<br><input type="checkbox"/> 政府 <input type="checkbox"/> 公營事業 <input checked="" type="checkbox"/> 民間<br>受款人 (BENEFICIARY):<br>UNITED STATES DEPARTMENT OF<br>COMMERCE PATENT AND TRADEMARK<br>OFFICE |  |   |  |  |  |
| 受款銀行 (A/C WITH INST)<br>JPMORGAN CHASE BANK  |  |   |  |  |  |
| 轉帳銀行 : 104 NEW YORK<br>JPMORGAN CHASE BANK<br>受款人帳號 (BENF.A/C NO.):  |  | 匯率 (EX. RATE): @32.8050000<br>折合新臺幣 : 32,805.00                     |  |  |  |
| 貴戶如發現本單據內容有與事實不符者, 應於製發日起七個營業日內檢附證明文件申請更正; 結匯金額超過新台幣五十萬元者, 應審慎據實申報, 申報後除有律師或銀行業出具無故意申報不實意見書外, 不得要求更正。  |  | 手續費 (COMM. CHG): TWD100.00<br>郵費 (POST CHG): TWD100.00<br>其他 : 0.00 |  |  |  |
|  |  | 應收淨額 : TWD33,005.00<br>已繳金額 : TWD33,005.00<br>補收/給付金額 :             |  |  |  |

手續費利息收入印花稅總繳

經辦 : 邱銀卿

主管 :



## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

40144 7590 09/08/2006

TROXELL LAW OFFICE PLLC  
5205 LEESBURG PIKE, SUITE 1404  
FALLS CHURCH, VA 22044

Su Ping-Tung  
P.O. BOX 44-2049,  
Taipei 10668,  
Taiwan R.O.C.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

|                    |
|--------------------|
| (Depositor's name) |
| (Signature)        |
| (Date)             |

|                 |             |                      |                     |                  |
|-----------------|-------------|----------------------|---------------------|------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/787,090      | 02/27/2004  | Ping-Tung Su         |                     | 4284             |

TITLE OF INVENTION: UMBRELLA STRUCTURE

|                |              |               |                     |                      |                  |            |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
| nonprovisional | YES          | \$700         | \$300               | \$0                  | \$1000           | 12/08/2006 |

|                   |          |                |
|-------------------|----------|----------------|
| EXAMINER          | ART UNIT | CLASS-SUBCLASS |
| GRAYSAY, TAMARA L | 3636     | 135-039000     |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

|   |       |
|---|-------|
| 1 | _____ |
| 2 | _____ |
| 3 | _____ |

3. ASSIGNEE-NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☒ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature SU PING-TUNG  
Typed or printed name SU, Ping-Tung

Date November 27, 2006  
Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

BEST AVAILABLE COPY





Application for : Utility Patent  
Application number : 10/787,090  
Applicant : Su Ping-Tung  
Title : Umbrella Structure  
Attorney reference number : TB06P0084US  
Date mailed: November 27, 2006



**Please Acknowledge Receipt of the Following Items:**

- \* A check in the amount of US\$1000 to cover the Issue Fee and Publication Fee
- \* Transmittal Cover Sheet
- \* Issue Fee Transmittal